

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA)
v.)
NICOLAI D. QUINN,)
Defendants.)
Case No. 12 - CR - 4 wmc

PRELIMINARY ORDER OF FORFEITURE

Based upon the motion of the United States, the entire file in this case, and good cause appearing, the Court finds that:

1. On January 13, 2012, an information was filed against defendant Nicolai D. Quinn. The one count information charged Quinn with possession of a Maxtor hard drive, serial number L42VGSWG, containing visual depictions that were produced using materials which had previously been shipped in interstate and foreign commerce, specifically said hard drive and the production of such visual depictions involved the use of minors engaging in sexually explicit conduct, and the depictions are of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B)

2. On March 2, 2012, the defendant entered a plea of guilty to Count 1 of the indictment, pursuant to a written plea agreement. The plea agreement called for the defendant to forfeit property, specifically described as an HP Pavilion Slimline computer, together with a Maxtor hard drive, serial number L42VGSWG, found within the HP

Computer, and an E-Machines 500IS computer, together with a Seagate hard drive, serial number 6DL03PVK found within the E-Machines computer.

IT IS THEREFORE ORDERED:

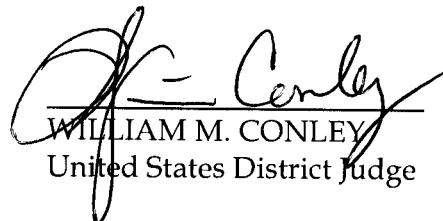
1. That based upon Nicolai D. Quinn's guilty plea, and pursuant to Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853; and Rule 32.2 of the Federal Rules of Criminal Procedure, the defendant forfeits to the United States his right, title, and interest in the following:
 - (a) any and all visual depictions which contain images which are or appear to be child pornography, together with the storage media in which they are contained, including books and magazines; and
 - (b) all property used or intended to be used to commit or to promote the commission of the offenses in the indictment, specifically described as an HP Pavilion Slimline computer, together with a Maxtor hard drive, serial number L42VGSWG, found within the HP Computer, and an E-Machines 500IS computer, together with a Seagate hard drive, serial number 6DL03PVK found within the E-Machines computer.
2. The United States Attorney General or his designee, is directed to seize and take custody of the above-referenced property.
3. Pursuant to 21 U.S.C. § 853 (n), as incorporated by 18 U.S.C. § 2253(b), the United States shall publish notice of the order and of its intent to dispose of property in such a manner as the Attorney General may direct. Any other person, other than the defendant, having or claiming a legal interest in any of the forfeited property must file a petition with the Court within thirty days of final publication notice or receipt of actual notice, whichever is earlier.

a. The petition shall be for a hearing to adjudicate the validity of a petitioner's alleged interest in the forfeited asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited asset, any additional facts supporting the petitioner's claim, and the relief sought.

b. The United States may also, to the extent practicable, provide direct written notice to any person who has an alleged interest in the forfeited asset, as a substitute for published notice.

4. Upon adjudication of any and all third party interests, this Court will enter a Final Order of Forfeiture, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

ORDERED this 12th day of March 2012



WILLIAM M. CONLEY
United States District Judge